

HOUSE BILL NO. 418

INTRODUCED BY C. LAMBERT

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4 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE PAYMENT OF COSTS AT A DETENTION CENTER;
5 REQUIRING THE DEPARTMENT OF CORRECTIONS TO PAY THE COSTS FOR HOLDING A PROBATION
6 OR PAROLE VIOLATOR IN A COUNTY DETENTION CENTER IF THE DEPARTMENT IS THE ARRESTING
7 AGENCY; REQUIRING THE DEPARTMENT OF CORRECTIONS TO PAY THE COSTS FOR HOLDING A
8 PERSON IN A COUNTY DETENTION CENTER FROM THE DATE OF CONVICTION; AMENDING SECTION
9 7-32-2242, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

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13 **Section 1.** Section 7-32-2242, MCA, is amended to read:

14 **"7-32-2242. Use of detention center -- payment of costs.** (1) Local government, state, and federal
15 law enforcement and correctional agencies may use any detention center for the confinement of arrested
16 persons and the punishment of offenders, under conditions imposed by law and with the consent of the
17 governing body responsible for the detention center.

18 (2) (a) If a person is confined in a detention center by an arresting agency not responsible for the
19 operation of the detention center, the costs of holding the person in confinement must be paid by the arresting
20 agency at a rate that is agreed upon by the arresting agency and the detention center and that covers the
21 reasonable costs of confinement, excluding capital construction costs, except as provided in 7-32-2245 or
22 subsection (2)(b) of this section.

23 (b) If a city or town commits a person to the detention center of the county in which the city or town is
24 located for a reason other than detention pending trial for or detention for service of a sentence for violating an
25 ordinance of that city or town, the costs must be paid by the county, except as provided in 7-32-2245. If the
26 department of corrections is the arresting agency and the inmate is a probation or parole violator, the costs must
27 be paid by the county ~~in which the district court that retains jurisdiction over the inmate is located~~ department,
28 except as provided in 7-32-2245.

29 (c) The department of corrections is responsible for the costs of confinement of a person in a detention
30 center from the date of an acceptance of a plea or a verdict or finding of guilty.

1 ~~(e)~~(d) Payments must be made to the government unit responsible for the detention center or to the
2 administrator operating a private detention center under an agreement provided for in 7-32-2201, upon
3 presentation of a claim to the arresting agency.

4 (3) If a person is a fugitive from justice from an out-of-state jurisdiction, the costs, including medical
5 expenses, of holding the person in a detention center pending extradition must be paid by the out-of-state
6 jurisdiction."

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8 NEW SECTION. **Section 2. Effective date.** [This act] is effective on passage and approval.

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